

# *Grazing Lease Code of Practice* for British Columbia



**Ministry of Forests' Range Branch**

*September 2024*



## Introduction

Grazing leases provide an essential forage resource for British Columbia's livestock industry. These important grazing tenures also sustain biodiversity, water supplies, timber production and essential habitat for a variety of plants and animals (including many species listed "at risk").

This key component of many ranching operations also helps conserve rangeland and provide a safe, natural environment to support quality livestock production and food security for British Columbians.

The *Grazing Lease Code of Practice* outlines operational best practices and offers additional guidance to ensure the sustainable use of range resources. The goal is to promote responsible range management practices that sustain healthy rangelands for present and future generations.

## History

A "grazing lease" is a type of *Land Act* tenure that leases Crown land to a tenure holder ("lessee") for the purpose of grazing and containing livestock. A grazing lease is one of the oldest forms of land tenure in British Columbia, with the first leases being issued in the 1860s.

Areas covered by grazing leases are typically near deeded lands and may encompass grasslands, open forests or closed forests, although the majority of them are timbered. These grazing lease areas are used in conjunction with associated private lands and grazing licences under the *Range Act*. Their close proximity allows for the safe management of livestock and together form an important component of the annual grazing cycle.

There are currently about 400 active grazing leases in the province. The majority are in the Thompson-Nicola, Cariboo-Chilcotin, Nadina and Peace regions. About half of all grazing lease areas are situated within the Agricultural Land Reserve.

## Quiet enjoyment and public access

A grazing lease, like other leases, provides the lessee with a right to "qualified quiet enjoyment" of the lease area. The lease represents an interest in the land providing the lease holder with a right to exclude others from using that land, subject to some exceptions.

One exception is that First Nations may access the land to use and gather traditional sustenance resources, medicines and other cultural heritage resources, including hunting and fishing and maintain their traditional practices and spiritual relationship to the land, in a manner that respects the grazing lease activities and does not interfere with grazing or forage use.

Another exception is that the province reserves the right to grant authorizations to third parties to also use the land, subject to subsisting rights under the *Coal Act*, *Forest Act*, *Mineral Tenure Act*, *Petroleum and Natural Gas Act*, *Range Act*, *Wildlife Act* or *Water Sustainability Act* (or any prior or subsequent provincial legislation that would have a similar effect). Although third-party resource use on grazing lease land may be authorized by the government (as stated in the lease), such uses should only be permitted after the affected parties have been consulted and in a way that accommodates the grazing lease holder's use of the lease and the third party's authorized activities.

Exclusive possession is defended by a trespass action. The *Trespass Act* gives a lessee the right to prevent public access to the grazing lease area. If a lease holder gives people permission to access the grazing lease area during specified periods, the lease holder can stipulate that:

- public users will access the grazing lease at their own risk
- hikers will stay on existing roads and trails
- vehicles will stay on existing roads, and only when these roads are dry or frozen over
- all-terrain vehicles (ATVs), motorcycles and mountain bikes will stay on existing roads
- camping and campfires will not be allowed within the grazing lease area

## Applied management principles

Sustainable rangeland management can be achieved by using the four “DURT” principles:

**Distribution:** distribute livestock over the range

**Utilization:** graze to the right use level

**Rest:** allow enough “rest” time during the growing season

**Timing:** graze at the right time and for the right duration)

Under normal circumstances, following the DURT principles will result in sustained forage productivity, enhanced animal welfare, and maintenance of environmental values that grazing leases help provide.

## Grazing system selection

A variety of grazing management systems can be used to meet the goals of the DURT principles. Lease location, climate, the number of livestock being grazed, access to other grazing areas and other factors help determine which grazing management system a lease holder will choose.

Additional strategies (such as changing the timing of pasture use from one year to the next, or planning for a periodic, season-long rest for a particular pasture area) may also be incorporated into grazing management systems. The following table outlines risks to range health associated with various grazing systems.

Low risk	Low to moderate risk	Moderate to high risk
<ul style="list-style-type: none"> <li>• dormant season use only</li> <li>• growing season use / low stocking density / rest periods incorporated into system</li> <li>• growing season use / moderate stocking density / delayed turnout systems</li> <li>• complementary use systems (domestic forage use combined with a native forage base)</li> </ul>	<ul style="list-style-type: none"> <li>• growing season use / low to moderate stocking density / rest periods incorporated into system</li> <li>• growing season use / high stocking density / long rest periods incorporated into system</li> </ul>	<ul style="list-style-type: none"> <li>• continuous grazing throughout the growing season / one-pasture system</li> </ul>

## Operational practices

The following practices and tools will help lessees achieve the goals outlined in the four DURT principles, depending on which grazing system is used; these practices will also limit the impact to first nations rights to hunt and gather:

### Turning out livestock

The lessee will plan a turnout date that (in an average year) will coincide with the growth of sufficient new forage to sustain grazing and allow for regrowth. A fixed turnout date allows the lessee to better plan winter feed supplies. Typically, a lessee will set the turnout date as late as possible.

However, variables such as prolonged winter conditions and feed supply levels may influence the decision when to turn out livestock. As a general rule, each day that you turn out livestock before the range is ready for it will result in the loss of three days of grazing time in the fall.

### Removal of livestock

The lessee should plan a removal date that (in a typical year) will allow for sufficient forage regrowth and residual plant litter. However, local variables (such as seasonal precipitation or grasshopper infestations) may influence the decision when to remove livestock.

### Recordkeeping

Historic recordkeeping helps assess the sustainability of range practices in B.C. A simple record indicating *pasture name*, *date of pasture entry*, *date of pasture exit* and *number of animals* should be maintained. Recordkeeping may also be required to substantiate lease billing and carrying capacity.

### Salting

The careful placement of salt is one of the best tools for influencing forage use and the distribution of livestock. Done properly, it can draw livestock away from sensitive areas (such as riparian habitats) and encourage them to move into less frequently used upland areas.

As a general rule, salt should be placed at least 100 metres away from riparian areas, other watering sources or known sensitive areas. The locations of salt supplies should be changed each year to avoid the accumulated effects of salt leaching into the soil. Alternatively, the salt could be placed in containers.

### Herding

Herding is a tool that's primarily used to influence livestock distribution and forage use. During drought periods, for example, the frequency of herding may be increased to ensure maximum distribution and the best use of available forage. Herding is also effective in reducing livestock use of sensitive areas.

### Infrastructure maintenance

A good grazing management system can control the duration and timing of pasture use by livestock. Additionally, while livestock are grazing on the lease, the lease holder is responsible for containing them to the lease area. Using fences (or a combination of fences and natural barriers) can help achieve these goals. Fences also provide increased security for livestock.

For fences to remain effective, they must be maintained regularly with annual inspections and repairs as required.

## Other management considerations

### Wildlife and species at risk

The federal *Species at Risk Act* defines critical habitat as “habitat that is necessary for the survival or recovery of a listed wildlife species and that is identified as the species’ critical habitat in the recovery strategy or in an action plan for the species.”

“Species at risk recovery” is when the decline of an endangered, threatened or extirpated species is stopped or reversed, and when threats are removed or reduced to improve the likelihood of a species’ success.

If a species at risk is found in a grazing lease area, operational practices will be adjusted. Typically, disturbances in wildlife habitat (or competition for that habitat) can be reduced by adjusting livestock distribution, scheduling or the level of use.

When the grazing lease holder effectively manages the lease area to obtain a sustainable supply of forage, he or she is also indirectly managing forage for local ungulate population (e.g. deer, sheep, moose, elk). Livestock grazing can benefit big game animals, which can follow livestock through pasture areas to graze on regrowth.

### Riparian areas, water and fish habitat

Healthy, properly functioning riparian areas in grazing lease areas generally indicate that the grazing management system and operational practices are sustainable. Healthy riparian areas also indicate that water quality is being preserved and fish habitat is being conserved.

Maintaining sufficient vegetative cover helps to sustain healthy, well-functioning riparian areas. When timber is harvested within the grazing lease area, it’s important to maintain sufficient cover and obstacles limiting the number of access points in the riparian area for livestock watering.

Other practices — such as providing off-stream water developments, defined access points to water sources (or “nose points”) and the strategic falling of individual trees to create obstacles — help minimize disturbances within riparian areas.

### Invasive plants

The lessee (or any other authorized user) will, within their abilities, limit the establishment of new invasive plants in the leased area by seeding disturbed ground where appropriate. If invasive plants are discovered, their location should be reported to the appropriate regulatory body. Newly established, high-priority invasive plants may be removed by mechanical treatment.

## Further information

This *Grazing Lease Code of Practice* was developed by the Range Branch of the Ministry of Forests, with the support and participation of the B.C. Cattlemen’s Association.

The ministry’s Range Branch has prepared a series of brochures on rangeland health, which are available online at: <https://www2.gov.bc.ca/gov/content/industry/rangelands/ecology>